



Federal Communications Commission  
Washington, D.C. 20554

**DA 07-3140**  
**Released: July 18, 2007**

Paxson Communications License Company, LLC  
c/o John P. Feore, Jr.  
Dow, Lohnes & Albertson, PLLC  
1200 New Hampshire Avenue, N.W.  
Washington, D.C. 20036-6802

Minden Television Corporation  
c/o Melodie A. Virtue  
Garvey, Schubert & Barer  
Fifth Floor  
1000 Potomac St., N.W.  
Washington, D.C. 20007-3501

Common Cause  
c/o Andrew J. Schwartzman  
Media Access Project  
Suite 1118  
1625 K Street, N.W.  
Washington, D.C. 20006

The Christian Network  
c/o Jacqueline P. Cleary  
Hogan & Hartson, L.L.P.  
555 13<sup>th</sup> St., N.W.  
Washington, D.C. 20004-1109

Re: Application for Assignment of License  
KPXJ-TV, Minden, Louisiana  
File No. BALCT-20031008ACZ  
Fac. ID No. 81507

Dear Counsel:

The captioned application sought consent to assign the license of KPXJ(TV) (PAX), Minden Louisiana, from Paxson Communications License Company, LLC (Paxson), to Minden Television Corporation (Minden). Common Cause filed a Petition to Deny the application, challenging the permissibility of an existing programming agreement (Station Agreement) between Paxson and the Christian Network, Inc. (CNI), which Paxson will assign to Minden upon consummation. In a letter decision dated April 14, 2004 ("Letter Decision") by the Chief, Video Division, Media Bureau, we conditionally granted the assignment of the license of KPXJ(TV), Minden, Louisiana to Minden Television Corporation (MTC).<sup>1</sup> We now

---

<sup>1</sup> Common Cause filed an Application for Review of that decision on May 13, 2004, which will be resolved in a separate decision.

have before us a Petition for Reconsideration of that decision filed by Paxson Communications License Company, LLC (Paxson),<sup>2</sup> which challenges the finding in the Letter Ruling that Common Cause had standing to file its Petition to Deny. For the reasons stated below, we deny the Petition for Reconsideration.

Paxson objects to our finding that Common Cause had standing to file its petition to deny. Specifically, Paxson objects to our acceptance of a late-filed declaration by Alice Stewart, a member of Common Cause, on which Common Cause relied to establish standing. Paxson does not contest the statements in Ms. Stewart's declaration that she is both a resident of the station's service area and a member of Common Cause. Instead, Paxson argues that we were compelled to reject her declaration and deny standing solely because the declaration was filed twenty days late.<sup>3</sup> As Common Cause correctly notes in its opposition, we have discretion in whether or not to accept supplemental materials and Paxson has not demonstrated that such discretion was improperly exercised here.<sup>4</sup> Therefore, we deny Paxson's petition for reconsideration.

ACCORDINGLY, IT IS ORDERED THAT, the Petition for Reconsideration filed by Paxson Communications License Company, LLC in regard to the grant of the assignment of license of KPXJ(TV), Minden, Louisiana to Minden Television Corporation (File No. BALCT-20031008ACZ) IS DENIED.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

---

<sup>2</sup> Petition for Reconsideration filed by Paxson, May 20, 2004. Common Cause filed its opposition to Paxson's petition late with a motion to accept the late filing. Paxson filed a pleading entitled "Notice of Lack of Objection to Petition for Reconsideration." Paxson also filed a motion to strike for lateness both Common Cause's opposition to the petition for reconsideration and its reply to Paxson's opposition to the application for review. Paxson states that it was not served properly with either of these pleadings. Although we admonish Common Cause on the crucial importance of both timely responses and of proper service, it does not appear any harm to Paxson resulted from Common Cause's actions. In the interest of a complete record, we will deny Paxson's motion and consider Common Cause's pleadings. Parties should not assume, however, that such negligence regarding timeliness and service is acceptable and will be in no position to protest if we choose to strike late-filed or improperly served pleadings in the future.

<sup>3</sup> Paxson Petition for Reconsideration at 2-3.

<sup>4</sup> See, e.g., *Branch v FCC*, 824 F.2d 37, 40 (D.C. Cir. 1987)(accepting petitioner's post-argument declaration clarifying claims to standing).